

COMMISSIONERS APPROVAL

GRANDSTAFF *CG*

ROKOSCH *JGR*

THOMPSON *BT*

CHILCOTT *g*

DRISCOLL *td*

PLETTENBERG (Clerk & Recorder)

Members Present.....Commissioner Carlotta
Grandstaff, Commissioner Jim Rokosch, Commissioner Greg Chilcott and Commissioner
Kathleen Driscoll.

Date..... July 14, 2008

Minutes: Beth Perkins

- Commissioner Thompson attended the annual NACo Convention in Kansas City.
- The Board met for Worker's Compensation Safety Program Review with Safety Committee Department Heads. Commissioner Rokosch was not present for this meeting.
- The Board met for discussion and possible decision for speed limit signs on county roads. Road and Bridge Supervisor David Ohnstad was present.

Commissioner Grandstaff read a resolution from November 2004 regarding speed limits on county roads. David stated the resolution was for the gravel roadways for determining a safe and reasonable speed limit. For a gravel surface, it is impossible to determine the speed limit. Nothing has changed since the resolution was passed. The concept of the speed limit is reasonable and realistic as it has to be enforced.

Commissioner Chilcott stated it fell closely to a lawsuit that was filed against another county regarding posted speed limits and an accident. The county said the road was safe to drive at 35 mph and it wasn't. That decision was upheld by the court. David added with a gravel road, it changes on a daily basis therefore, it is impossible to calculate a safe speed.

Administrative Assistant Glenda Wiles presented two emails from Alan Gates and Marcia Diamond regarding speed limits on county roads that needed to be reviewed by the Commissioners and entered into the record for this discussion.

Alan Gates stated he lives on North Kootenai in Stevensville. He would like the road paved. It is dusty and rutted. If it cannot be paved, he would like dust abatement. They own 50 acres on Kootenai Creek Road and can't see paying for dust abatement.

Commissioner Grandstaff asked who is responsible for Kootenai Creek Road. David replied some of it is county and the rest is Forest Service. West of half mile from the trailhead is Forest Service. Alan replied they are in the county portion. David replied the dust abatement program is an option at a reduced price. The Board approved the abatement program along with extended level of service for those wishing higher level of service. Commissioner Chilcott asked about the design constrictions. David replied you need a 60 foot easement and the roadway users to pay for the cost of the asphalt oil. Commissioner Grandstaff explained the dust abatement program to Alan Gates. Alan stated Kootenai Creek Road is currently being paved and it is at the same width. David replied it was an old pave job that deteriorated and had to be re-paved. Further discussion followed regarding the dust abatement program and the cost of materials and supply.

Commissioner Grandstaff reiterated the reason behind no speed limit signs on gravel roads. Commissioner Driscoll stated Highway 93 is not the best road in or out of this valley. These gravel roads can be graded but potholes are an issue. She explained the funding issue. Alan stated to his understanding the county will never pay for dust abatement on his road. Commissioner Grandstaff stated Alan could purchase dust abatement that would be applied by the County Road and Bridge Department.

Kathy Frasier stated she lives on Sunset Bench and has spoken to this Board many times regarding speed limits. She thanked the Board and David for the dead end sign on her road. She discussed safe and reasonable speed limits and how the county could be sued for not providing safe roads. She does not know why gravel roads have to be subjected to such scrutiny. She gave an example of people speeding and cows getting out and what could happen. She stated her grandson got sprayed with rocks while riding his bike from speeders. When you talk about a realistic and enforced speed limit does that mean you can go 35 mph, hit black ice and then sue the county for liability?

Commissioner Chilcott stated he is not saying reasonable or unreasonable, the taxpayer is who ends up paying for these liability cases. Kathy gave examples of several instances of where as a taxpayer, she has paid and asked if that was fair. She requested a speed limit of 25 mph for her road. She stated when the Board talks about what is owed to the taxpayers, safety should be something discussed. She then gave more examples of other counties that have speed limits on gravel roads and the levels for low volume gravel roads. Commissioner Grandstaff stated other than dust abatement all that Kathy said can apply to paved roads as well. Kathy agreed. Commissioner Grandstaff stated she rides her bike to work. She has a side mirror to be able to bail out if needed because of speeders. Further discussion followed regarding re-establishing speed limit sign postings.

David stated speed limits can be posted but there are a number of things that can fall into place such as the unification of 35 mph. It is fairly clear in the statute.

Roger DeHaan stated he can't believe the stories regarding county liability. He lives on Meridian Road and it had a fatality. This is about doing the right thing. If there are truly county roads at 70 mph, there is a county responsibility to make those roads safe.

David stated the cost of speed limit signs are about \$50 each. Commissioner Grandstaff asked where the money would come from and who would put them up. David replied the money is the issue and if it was found, the County Road and Bridge Department would be the ones to install them.

David stated within the minor local roadways, the majority of the people doing the speeding are the people who live there.

Roger commented on the accident on Meridian Road. He stated the reason for the accident is because the driver couldn't stop due to speed. He discussed the pros and cons of having speed limit signs posted. With having them posted, there are options such as having highway patrol enforce. He watches the cars speeding and most of them are teenagers.

Commissioner Chilcott stated another issue is trying to create bike/pedestrian walkways. Tom Frasier stated a major issue is the speed limit. Commissioner Grandstaff asked the Board if there is interest in rescinding the resolution and about prioritizing putting speed limits on gravel roads. She recommended having a full board for discussion prior to decision. Further discussion followed regarding the process of a traffic study to establish a speed limit.

Karen Williams stated she is in agreement with the Frasiers.

Roger stated this Board set a 25 mph speed limit in front of Corvallis School due to high demand. The county does have some authority in setting speed limits.

David stated there is a set engineering premise and speed limits are determined within a process.

Commissioner Grandstaff read the existing Resolution #1564. Commissioner Chilcott stated he is sympathetic to Kathy's request however, there is a fiscal reality. He would like more information before making a decision.

Commissioner Rokosch joined the meeting at this time.

Further discussion followed regarding patch work on Pine Hollow and Logan Lane.

David stated he is in disagreement with posting speed limit signs on gravel roads. He believes it is poor policy since it cannot be predicted with the changing surface conditions.

No decision was made due to lack of financial options and information.

- ▶ Commissioner Driscoll attended BVLAC Mental Health meeting in the afternoon.
- ▶ The Board interviewed Weed Board applicant Travis Martinez.
- ▶ The Board met for the following administrative matters:
 - Resolution for loan with First Security Bank for Stevens Property on Kurtz Lane - Administrative Assistant Glenda Wiles gave an overview of this loan process and need for signatures by the Commissioners.
Commissioner Rokosch made a motion to adopt Resolution No. 2277 for the authorization of the loan from First Security Bank for the purchase of the Stevens' property on Kurtz Lane. Commissioner Chilcott seconded the motion and all voted 'aye'.
 - Approval of Victim Assistance Program Grant – **Commissioner Chilcott made a motion to execute chair signature for approval of the Victim Assistance Program Grant. Commissioner Driscoll seconded the motion and all voted 'aye'.**
 - Approval of Employee Action Forms – Glenda presented the Board with several Employee Action Forms for signatures.